

REMARKS

By this amendment, claims 1 and 6 are amended, claims 13-20 are cancelled, and claims 21-28 are entered. No new matter has been entered. Accordingly, claims 1-12, and 21-28 are pending in this application.

Restriction

The Examiner has issued a Restriction Requirement in which we were required to elect from the following three inventions:

- I. Claims 1-12, drawn to a method for arranging a funeral;
- II. Claims 13-16, drawn to a computer readable medium;
- III. Claims 17-20, drawn to a computer system.

During a telephone conversation with the Examiner, we provisionally elected claims 1-12 without traverse for prosecution. Therefore, by this amendment we confirm the election of claims 1-12, and herein cancel claims 13-20, without prejudice.

Double Patenting

In the office action, the Examiner has rejected claim 1 under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claim 31 of co-pending Application Serial No. 09/409,566 (Publication No. US 2003/0212611). Filed herewith is a proper terminal disclaimer and associated fee, thereby overcoming this rejection.

Rejection of the Claims

Claims 1 and 6 were rejected under 35 U.S.C. §112, second paragraph, as being indefinite. By the above amendments, this rejection has been overcome by deleting the noted confusing terminology.

Claim 1 is rejected under 35 U.S.C. § 102(e) as being anticipated by Richardson (US 2002/0022962). Claims 2-12 are rejected under 35 USC 102(e) as being anticipated

by Torres et al (US 2002/0004757). Claims 2-12 are rejected under 35 USC 103(a) as being unpatentable over Torres ('757). These rejections are respectfully traversed.

Enclosed with this response is a declaration under 37 CFR 1.131 (along with Exhibits A-C), which substantiates that the invention was reduced to practice prior to the filing dates of Torres, Richardson, and the parent application 09/32,653 from which Richardson claims priority. As such, Torres and Richardson (and its parent application 09/32,653), are not prior art under §102(e), and cannot form the basis for a rejection under §103. Therefore, Applicants respectfully request withdrawal of the above noted rejections to the claims.

Applicants note the remaining cited art, but as such art has not been applied against any of the claims, the Applicants are not providing any comments thereto at this time.

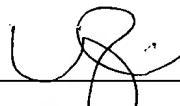
New Claims 21-28

New claims 21-28 are present for the consideration of the Examiner, and for which protection is desired. Support for new claim 21-28 is provided for by the specification and drawings, and thus no new matter has been entered.

CONCLUSION

Applicants respectfully submit that the present application is in condition for allowance. The Examiner is encouraged to contact the undersigned to resolve efficiently any formal matters or to discuss any aspects of the application or of this response. Otherwise, early notification of allowable subject matter is respectfully solicited.

Respectfully submitted,
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